

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ABRAHAM A. SIWONIKU et al.**

**Plaintiffs,**

**v.**

**FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, et al.**

**Defendants.**

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**CIVIL ACTION  
NO. 17-3949**

**ORDER**

**AND NOW**, this 12<sup>th</sup> day of September, 2018, upon consideration of Plaintiffs' Complaint (ECF No. 1), Defendants Federal National Mortgage Association and Seterus, Inc.'s ("Moving Defendants") Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) (ECF No. 16), and Plaintiffs' Response in Opposition thereto (ECF No. 17), it is hereby **ORDERED** as follows:

1. Moving Defendants' Motion (ECF No. 16) is **GRANTED in part** and **DENIED in part**.
2. Moving Defendants' Motion is **GRANTED** as it relates to Counts One through Six of Plaintiffs' Complaint, and **DENIED** as it relates to Plaintiffs' requests for fees and damages.
3. Plaintiffs are granted **LEAVE TO AMEND** the Complaint within fourteen (14) days of the filing of this Order and the accompanying Memorandum. Should Plaintiffs fail to so amend, the Clerk of Court is directed to close this matter for statistical and all purposes.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNELL JONES, II     J.